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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/762,645
		Filing Date	January 20, 2004
		First Named Inventor	Gerald P. Price
		Group Art Unit	3671
		Examiner Name	G. Hartmann
Total Number of Pages in This Submission	3	Attorney Docket Number	R15-012-06-US

ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm	Moore, Hansen & Sumner Customer Number 22,854
Individual name	James R. Hakomaki Reg. No. 35,037
Signature	<i>James R. Hakomaki</i>
Date	November 15, 2004

CERTIFICATE OF MAILING	
I hereby certify that the following attached paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450 on the date shown below.	
Typed or printed name	James R. Hakomaki
Signature	<i>James R. Hakomaki</i> Date: November 15, 2004

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald P. Price; Raymond R. Price Confirmation No.: 5315
App. No.: 10/762,645
Filed: January 20, 2004
Title: BLOCK WITH MULTIFACETED BOTTOM SURFACE
Art Unit: 3671
Examiner: G. Hartmann

Docket No.: R15-012-06-US
Customer No: 22,854

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

The Restriction Requirement mailed October 15, 2004 has been carefully reviewed and considered.

In the restriction/election, the Examiner required Applicant to elect between inventions identified as I and II, with claims 1-4, and 9-14, drawn to a block, classified in class 405, subclass 284, and with claims 5-8 and 15-18, drawn to a block, classified in class 52, subclass 608.

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Signature	<i>James R. Hakomaki</i>	Date:	November 15, 2004

The Examiner then asserted that the inventions II and I are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, each of the inventions could be separately usable as retaining wall blocks. See MPEP § 806.05(d)).

Applicant respectfully disagrees with the Examiner's groupings and provisionally elects to pursue patent protection for claims 1-4, and 9-14, which are drawn to a block for constructing a retaining wall. However, this election is made with traverse, whereby Applicant reserves the right to contest the grounds for the election requirement as set forth by the Examiner.

Respectfully submitted,
For the Applicants
By their Attorneys,

Customer Number

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Date November 15, 2004

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